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THE HUMAN RIGHTS QUARTERLY

JUDGE WANTS "MEASURABLE IMPROVEMENT" TOWARDS EQUAL EMPLOYMENT OPPORTUNITY

Since our last newsletter was published, Governor Thomas Judge has ordered all state department heads to take the responsibility in assuring that affirmative action programs are making "progress in increasing the numbers of women and minorities in the state's more desirable jobs, specifically managers, professional, and trades."

The Governor then stated, "As part of this responsibility each department director must 1) assure that your managers, supervisors and Equal Employment Opportunity officers understand their respective Equal Employment Opportunity/Affirmative Action responsibilities, 2) have the resources needed to fulfill them, and 3) are held accountable for their performance."

Governor Judge went on to say, "The Equal Employment Opportunity section of the Personnel Division will be providing appropriate training for Equal Employment Opportunity officers as well as for Department Directors, Managers and Supervisors. This should receive your full participation."

The Governor made these statements to a cabinet meeting in October. By these statements, Judge gave renewed support to the state Fair Practices Act, which has not yet received funding by the state legislature.

PLEASE POST OR CIRCULATE

DIVISION CUTS RED TAPE

In December the Division took steps to cut red tape in resolving some discrimination complaints. The new procedure, called the early resolution process, or E.R.P., allows both sides in a discrimination complaint the opportunity to reconcile their differences within 30 days after the complaint was filed.

E.R.P. involves only those cases in which a simple fact of discrimination is alleged and where a simple remedy, such as a promotion or pay raise, can be obtained. The process, modeled after the Washington state process, involves only those cases that occur within a 125 mile radius of Helena.

HOW E.R.P. IS WORKING

Since the Division began using the E.R.P. procedure four weeks ago, it has processed nine Human Rights complaints. Of the nine, four have been settled, one complaint was withdrawn, one is still under conciliation, and three were referred to the investigation procedure.

According to Christine Chute, the head of the Investigation Unit, "our experience with E.R.P. conferences looks promising. The main problem is that our investigators are not trained in mediation or negotiations. However, as I work more investigators into the process, this problem should dissipate."

1/3 OF HUMAN RIGHTS WORKERS TO LEAVE

In early January, the division was notified by the state's Action Office that no new Vista Volunteers would be eligible for the Division when the current contract runs out in September. Due to new eligibility requirements for Vista projects, the Division will lose 5 of its 17 workers. They will include 2 attorneys, 2 investigators, and 1 outreach worker.

One of Action's new standards is that no state agencies will be eligible for Vista Volunteers. Needless to say, the loss of these workers will be a tremendous blow not only to the Human Rights Division, but also to the people of Montana.

COMMISSIONERS

**Delores Storm, Chairperson
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**Thomas L. Judge
Governor**

**Raymond D. Brown
Administrator**

SPEAKING OF AFFIRMATIVE ACTION

to be without method is deplorable
 but to depend entirely on method is worse
 you first must learn to observe the rules
 faithfully
 afterward, modify them according to your
 intelligence and capacity

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QUESTIONS/ANSWERS

- Q. I've heard that some businesses may be required to have Affirmative Action for the handicapped. How do I find out if my business is involved?
- A. We encourage all businesses to hire the handicapped. Affirmative Action is required by those who do business with the Federal Government in excess of \$2,500. Handicapped persons are also covered under the Montana anti-discrimination law, but no specific rules on Affirmative Action have been promulgated yet.

If you have a question you would like answered in this space, please contact Garry Schaedel at 449-2884.

QUARTERLY SETTLEMENTS

January turned out to be a good month as far as financial settlements were concerned. There were two sex discrimination complaints settled by attorney Terry Clausen, one for \$3,500 and the other for \$2,600. Both cases involved discrimination in employment.

In December there were two cases settled totaling almost \$500.00. Both cases alleged racial discrimination in employment. One of the charging parties also received a job.

Not counting the new E.R.P. process some six cases were settled with the charging parties getting jobs.

In February, Donovan Lavalle received \$1,750 in back pay as a result from an alleged racial discrimination complaint against Mid-Mountain Construction Company of Fort Benton.

BUSINESS CONCERNS

EQUAL EMPLOYMENT OPPORTUNITY WORKSHOP

The Human Rights Division in cooperation with the Montana Chamber of Commerce will be sponsoring a workshop entitled, "Equal Employment Opportunity, A Business Perspective" on March 15, at the Colonial Inn, in Helena.

Attorney Jack Ruzicho, expert on Equal Employment Opportunity litigation, will conduct a workshop on Equal Employment Opportunity, Affirmative Action, Employer Defenses, Hiring the Handicapped, and more. Mr. Ruzicho has been associated with both the U. S. and Ohio Civil Service Commissions, and as an attorney for the General Tire Company specializing in discrimination complaints.

The workshop is from 9:00 a. m. until 5:00 p. m. and will include a luncheon. Registration fee is \$30.00. Deadline to register is Friday, March 10. Call or write the Division for more information.

BUSINESS RIGHTS LINE

In January the Division began the Business Rights Line, which is aimed at informing business people of their rights particularly in avoiding discrimination complaints.

The new service urges businesses to call and ask specific questions concerning all aspects of Human Rights Law. In most cases, calls should be directed to Raymond D. Brown, Administrator.



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